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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/067,286	02/07/2002	Shinji Abe	401556/TAKADA	7913
23548	7590	07/15/2004		EXAMINER
LEYDIG VOIT & MAYER, LTD				LEE, BENNY T
700 THIRTEENTH ST. NW				
SUITE 300			ART UNIT	PAPER NUMBER
WASHINGTON, DC 20005-3960			2817	

DATE MAILED: 07/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES DEPARTMENT OF COMMERCE  
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10061286

This application has been examined  Responsive to communication filed on 10 May 2004  This action is made final.

A shortened statutory period for response to this action is set to expire Three (3) month(s), \_\_\_\_\_ days from the date of this letter.  
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

1.  Notice of References Cited by Examiner, PTO-892.
2.  Notice re Patent Drawing, PTO-948.
3.  Notice of Art Cited by Applicant, PTO-1449.
4.  Notice of Informal Patent Application, Form PTO-152
5.  Information on How to Effect Drawing Changes, PTO-1474.
6.

Part II SUMMARY OF ACTION

1.  Claims 1-20 are pending in the application.  
Of the above, claims \_\_\_\_\_ are withdrawn from consideration.
2.  Claims \_\_\_\_\_ have been cancelled.
3.  Claims \_\_\_\_\_ are allowed.
4.  Claims 1-18, 19, 20 are rejected.
5.  Claims \_\_\_\_\_ are objected to.
6.  Claims \_\_\_\_\_ are subject to restriction or election requirement.
7.  This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.
8.  Formal drawings are required in response to this Office action.
9.  The corrected or substitute drawings have been received on \_\_\_\_\_ Under 37 C.F.R. 1.84 these drawings are  acceptable;  not acceptable (see explanation or Notice re Patent Drawing, PTO-948).
10.  The proposed additional or substitute sheet(s) of drawings, filed on \_\_\_\_\_ has (have) been  approved by the examiner;  disapproved by the examiner (see explanation).
11.  The proposed drawing correction, filed \_\_\_\_\_, has been  approved;  disapproved (see explanation).
12.  Acknowledgement is made of the claim for priority under U.S.C. 119. The certified copy has  been received  not been received  been filed in parent application, serial no. \_\_\_\_\_ filed on \_\_\_\_\_.
13.  Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle; 1935 C.D. 11; 453 O.G. 213.
14.  Other

The indicated allowability of claims 1-20 is withdrawn in view of the newly discovered reference(s) to Kokubo et al. Rejections based on the newly cited reference(s) follow.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 1-18; 19, 20 are rejected under 35 U.S.C. 102(a) as being clearly anticipated by the Kokubo et al publication (cited by applicant).

Note that Fig. 4 of the Kokubo et al publication discloses a high frequency waveguide comprising first and second reflecting walls. The reflecting walls are each comprised of a plurality of dielectric bars arranged in a plurality of rows or layers. Each dielectric bar comprises a columnar body having regions of distinct dielectric constant. In particular, the region along the axis of each columnar body is lower in dielectric constant (e.g. because such a region is air) than the region of the columnar body, which is spaced from and surrounds the lower dielectric constant region. Note that corresponding metal walls comprised of a plurality of metal cylinders are disposed adjacent the outer most layer of dielectric bars in the first and second reflecting wall. Also, note that opposing conductive plates are arranged such that the reflecting walls and metal walls are disposed between these conductive plates to thus provide a complete waveguide structure.

Applicant's arguments with respect to claims 1-18; 19, 20 have been considered but are moot in view of the new ground(s) of rejection.

Art Unit: 2817

Any inquiry concerning this communication should be directed to Benny Lee at telephone number 571 272 1764.

*Benny Lee*  
B. Lee  
BENNY T. LEE  
PRIMARY EXAMINER  
ART UNIT 2817